

Exhibit H

to

Declaration of George F. Carpinello

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT
OF NEW YORK

* * * * *

IN RE: * Case No.
HILAL K. HOMAIDAN, f/k/a * 08-48275 (ESS)
HELAL K. HOMAIDAN, * Chapter
Debtor * 7

* * * * *

HILAL K. HOMAIDAN on behalf *
of himself and all others *
similarly situated, *
Plaintiffs *
vs. *
SLM CORPORATION, SALLIE MAE, *
INC., NAVIENT SOLUTIONS, *
LLC, and NAVIENT CREDIT *
FINANCE CORPORATION, *
Defendants *

* * * * *

CONFIDENTIAL VIDEOTAPED DEPOSITION OF
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October 30, 2019

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<p style="text-align: right;">Page 74</p> <p>1 We take a copy of that file monthly and load it into</p> <p>2 our servicing systems.</p> <p>3 Q. If the Department of Education has other</p> <p>4 information about enrollment of a student, for example,</p> <p>5 their cost of attendance, is that something that you</p> <p>6 can obtain?</p> <p>7 ATTORNEY FLORCZAK:</p> <p>8 Objection to the form of the question.</p> <p>9 THE WITNESS:</p> <p>10 I --- I'm not aware of any such</p> <p>11 information.</p> <p>12 And since it's not something that we would</p> <p>13 use for servicing, I'm not --- I --- you know, I would</p> <p>14 have no need to go look for it.</p> <p>15 BY ATTORNEY SHAW:</p> <p>16 Q. Well, you've --- you have the ability though, to</p> <p>17 --- to obtain that information.</p> <p>18 Right?</p> <p>19 ATTORNEY FLORCZAK:</p> <p>20 Object to the form of the question.</p> <p>21 THE WITNESS:</p> <p>22 I am able to access the Department of</p> <p>23 Education's website. And if they have publicly</p> <p>24 available information, we can see it's there.</p> <p>25 But yeah, again, I'm not just going out</p>	<p style="text-align: right;">Page 76</p> <p>1 masse, it would have to go through either an automation</p> <p>2 or an individual to populate FDR. We do not have</p> <p>3 direct access to the FDR System.</p> <p>4 Q. You could do it on an individual loan basis or ---</p> <p>5 well, let me say that again.</p> <p>6 You could find out information about cost of</p> <p>7 attendance from a school, and put it into the field</p> <p>8 that you already have about cost of attendance for an</p> <p>9 individual borrower.</p> <p>10 Correct?</p> <p>11 A. I'm --- so the --- the --- the word --- the terms</p> <p>12 that you're using, I would answer no.</p> <p>13 Q. Okay.</p> <p>14 A. We don't update those fields.</p> <p>15 It would violate the system record integrity of</p> <p>16 that data if I were to go overwrite what the system of</p> <p>17 record has in that field with the value I specified.</p> <p>18 That would remove a level of trust on that data table.</p> <p>19 Q. Is there a field for cost of attendance in your</p> <p>20 database --- FDR database?</p> <p>21 A. I am --- I believe there is, yes.</p> <p>22 Q. Okay.</p> <p>23 How could it get populated?</p> <p>24 A. To populate it into FDR would require that we have</p> <p>25 agents update the system on loan-by-loan basis, or that</p>
<p style="text-align: right;">Page 75</p> <p>1 and pulling any file that the Department of Education</p> <p>2 has out there.</p> <p>3 BY ATTORNEY SHAW:</p> <p>4 Q. Right.</p> <p>5 I'm not saying that you're going and pulling it,</p> <p>6 I'm saying, you have the ability to do it.</p> <p>7 Correct?</p> <p>8 ATTORNEY FLORCZAK:</p> <p>9 Object to the form of the question.</p> <p>10 THE WITNESS:</p> <p>11 To the extent something is out there, you</p> <p>12 know, there is no limitation on me that says I couldn't</p> <p>13 do it, there just would have to be a need for it.</p> <p>14 BY ATTORNEY SHAW:</p> <p>15 Q. Okay.</p> <p>16 And for example, in this case --- well, for</p> <p>17 example, you're aware that you have a field in your FDR</p> <p>18 System of record for a student's cost of attendance.</p> <p>19 Correct?</p> <p>20 A. I am aware that there is a cost of attendance</p> <p>21 field, yes.</p> <p>22 Q. So if you were able to obtain the cost of</p> <p>23 attendance information from a school about a student,</p> <p>24 you would be able to populate it in that field?</p> <p>25 A. I would not be able to populate a field in FDR en</p>	<p style="text-align: right;">Page 77</p> <p>1 we develop an automation routine for a macro or a</p> <p>2 system robot to go through and populate it on a --- on</p> <p>3 an loan by loan basis.</p> <p>4 Q. So it's something that can be done? It just has</p> <p>5 to be done through that process?</p> <p>6 A. Correct.</p> <p>7 Q. So if you have a field that was described as the</p> <p>8 student need amount, that could be populated through</p> <p>9 that process.</p> <p>10 Right?</p> <p>11 A. It could be, yes.</p> <p>12 Q. And if you had a field that was the borrower</p> <p>13 provided financial aid amount, that could be populated</p> <p>14 through that process.</p> <p>15 Right?</p> <p>16 ATTORNEY FLORCZAK:</p> <p>17 Object to the form of the question.</p> <p>18 THE WITNESS:</p> <p>19 Yes, it could be.</p> <p>20 BY ATTORNEY SHAW:</p> <p>21 Q. And if you had a field that related to the</p> <p>22 borrower provided school cost amount, that could be</p> <p>23 populated in that process.</p> <p>24 Right?</p> <p>25 ATTORNEY FLORCZAK:</p>

<p style="text-align: right;">Page 78</p> <p>1 Object to the form of the question.</p> <p>2 THE WITNESS:</p> <p>3 It could be.</p> <p>4 BY ATTORNEY SHAW:</p> <p>5 Q. And if you had a field called the in-state school</p> <p>6 cost amount, it could be populated in that?</p> <p>7 ATTORNEY FLORCZAK:</p> <p>8 Object to the form of the question.</p> <p>9 THE WITNESS:</p> <p>10 It could be.</p> <p>11 BY ATTORNEY SHAW:</p> <p>12 Q. Do you have a field that's called AP ---</p> <p>13 APP_STU_NEED_AMT?</p> <p>14 A. I would have to be positive. I'd have to go back</p> <p>15 and look at our data dictionary. But that sounds like</p> <p>16 the field.</p> <p>17 Q. And are those the --- and how would that field be</p> <p>18 populated? Only by the process that you mentioned,</p> <p>19 that --- an agent putting in or a macro?</p> <p>20 ATTORNEY FLORCZAK:</p> <p>21 Objection to the form of the question. It</p> <p>22 misstates his prior testimony.</p> <p>23 THE WITNESS:</p> <p>24 It could be.</p> <p>25 BY ATTORNEY SHAW:</p>	<p style="text-align: right;">Page 80</p> <p>1 Q. Okay.</p> <p>2 What other sources of information are added to ---</p> <p>3 well, let me say it this way.</p> <p>4 Where --- where do other --- where --- sorry about</p> <p>5 that.</p> <p>6 Where does information come from that gets added</p> <p>7 to the FDR System, besides the borrower themselves, the</p> <p>8 system itself doing mathematical calculations for</p> <p>9 schools?</p> <p>10 Are there other sources of information?</p> <p>11 A. The agents may need to take an action on an</p> <p>12 account.</p> <p>13 Q. Okay.</p> <p>14 And where do they get their information from?</p> <p>15 A. They could get their information from one of the</p> <p>16 Workflow Systems.</p> <p>17 Q. Okay.</p> <p>18 Does any of that come from an external source?</p> <p>19 A. Beyond what you mentioned already?</p> <p>20 Q. Yes.</p> <p>21 A. Nothing is coming to mind. But I am sure there</p> <p>22 are scenarios that could involve that.</p> <p>23 Q. For example, there could be correspondence from</p> <p>24 some external source that's not the borrower.</p> <p>25 Correct?</p>
<p style="text-align: right;">Page 79</p> <p>1 Q. So you could --- we talked before about contacting</p> <p>2 schools themselves to obtain information.</p> <p>3 Right?</p> <p>4 ATTORNEY FLORCZAK:</p> <p>5 Object to the form of the question of the</p> <p>6 prior testimony.</p> <p>7 BY ATTORNEY SHAW:</p> <p>8 Q. I'm asking you, did we talk about contacting</p> <p>9 schools themselves to obtain information?</p> <p>10 A. We talked about schools contacting us.</p> <p>11 Q. Okay.</p> <p>12 So there's a situation where you --- where Navient</p> <p>13 and the schools are in contact about a borrower.</p> <p>14 Correct?</p> <p>15 A. There have been, yes.</p> <p>16 Q. Okay.</p> <p>17 And through that contact, it's possible for the</p> <p>18 schools to provide information to Navient about a</p> <p>19 student.</p> <p>20 Correct?</p> <p>21 A. Correct.</p> <p>22 Q. And if the information that the school is to</p> <p>23 provide relates to their cost of attendance, you have</p> <p>24 fields that would be able to contain that information?</p> <p>25 A. I believe so.</p>	<p style="text-align: right;">Page 81</p> <p>1 A. Yes, there is information that could be updated on</p> <p>2 those accounts from the Department of Defense, their</p> <p>3 DMCS military manpower system.</p> <p>4 Q. What about, for example, a bankruptcy notice, a</p> <p>5 --- a notice from a court?</p> <p>6 A. Yes, that --- yes, there are electronic bankruptcy</p> <p>7 notifications that would come through. The agent would</p> <p>8 process the accounts appropriately based on receipt of</p> <p>9 that information.</p> <p>10 Q. How does that take place? How does the</p> <p>11 information from some external source, like a --- a</p> <p>12 bankruptcy --- well, there's two different ways</p> <p>13 bankruptcy notices come in.</p> <p>14 Correct?</p> <p>15 A. That is correct.</p> <p>16 Q. One is electronic?</p> <p>17 A. Correct.</p> <p>18 Q. The other is physical mail?</p> <p>19 A. Correct.</p> <p>20 Q. Okay.</p> <p>21 How does that information in either of those</p> <p>22 scenarios get --- get put onto the FDR Servicing</p> <p>23 System?</p> <p>24 A. That information would be loaded into the</p> <p>25 appropriate workload system, would then be cued up for</p>

1 the appropriate claims agent to review and take actions
 2 as necessary.
 3 Q. So at some level if it's mail, a person physically
 4 types in the information?
 5 A. Are you transferring the information from the
 6 electronic image they see onto the account, yes.
 7 Q. That's what I'm asking.
 8 A. Yes.
 9 Q. If something comes in into physical mail, how does
 10 it get onto the system?
 11 A. Correct. The agent would update the system.
 12 Q. Okay.
 13 And the agents update the system that way with
 14 other types of information that they receive through
 15 U.S. mail, if it's something that relates to the
 16 servicing of the loan?
 17 A. There are --- there are agents who do that, yes.
 18 Q. Now, you --- you keep --- you keep information
 19 about particular borrowers.
 20 Correct?
 21 A. I'm not sure what you mean by particular.
 22 Q. Well, I'm trying to --- I'm trying to figure out
 23 how the system ---
 24 My understanding is, the system keeps information
 25 about loans and it relates it to borrowers?

1 A. Correct.
 2 Q. So you keep information on the loan level and also
 3 a borrower level.
 4 A. Correct.
 5 Q. Is that correct?
 6 A. Correct.
 7 Q. And what if that borrower has information that's
 8 on --- what if that borrower has information about him
 9 or her that's on the various Servicing Systems? Is it
 10 related somehow?
 11 So if they have a loan on CLASS and a loan that's
 12 kept on FDR is that related somehow?
 13 A. Yes, we are aware when borrowers have loans on
 14 multiple systems. And depending on the type of
 15 information, we may update all systems with the same
 16 information or we may update some of the systems with a
 17 reference to look on the system that was updated.
 18 Q. Okay.
 19 So if a borrower has, for example, a federal loan
 20 and a private loan, you have accurate information about
 21 that?
 22 A. Correct.
 23 Q. And the information includes the same type of
 24 information that's needed for servicing on both of
 25 those types of loans?

1 A. Each system maintains its own servicing
 2 information on those loans. But when there is
 3 information impacting all of those loans, it would
 4 either be entered on each system or notated on one
 5 system to look at the other.
 6 Q. So you could figure out, for example, the --- the
 7 principal amounts and outstanding amounts on a loan for
 8 a particular borrower, whether it be a federal loan or
 9 a private loan?
 10 A. We are able to ascertain that, yes.
 11 Q. And you're able to ascertain the --- the --- the
 12 amount of the original borrowings?
 13 A. When --- generally, yes, if the borrower has a
 14 consolidation loan we would most likely not be able to
 15 determine what the original total disbursed amount was,
 16 if we did not have those --- if we were not the holder
 17 of all of those loans that were consolidated.
 18 Q. And you're also able to determine dates of
 19 disbursements for private and federal loans, other than
 20 the consolidated loans?
 21 A. Correct.
 22 Q. You mentioned earlier, a form of consolidated
 23 loan, I think, that you called refinances.
 24 Is that ---?
 25 A. Uh-huh (yes).

1 Q. Can you describe that for me?
 2 A. If a borrower is looking to refinance and obtain a
 3 better rate or if they believe that it would be more
 4 efficient for them to have a single loan to deal with,
 5 they can apply for a consolidation loan and would have
 6 to provide the appropriate information necessary.
 7 And if they qualify, they would have one loan in
 8 place of all of the other loans that they had
 9 previously.
 10 Q. And that one loan is that then characterized under
 11 the same characterization that we talked about, either
 12 the Department of Education, commercial, federal or
 13 private?
 14 A. We do not --- we don't consolidate federal loans
 15 into other federal loans. There is no federal loan
 16 program that we can issue. The Department of Education
 17 can consolidate federal loans into a consolidated
 18 direct loan. For private loans, we do offer a Refi
 19 consolidation product.
 20 The exact terms of what would qualify and what
 21 would not qualify, I'm not familiar with.
 22 Q. So talking about the former, that you do not offer
 23 as a product, do you service consolidated federal
 24 loans?
 25 A. Yes, we do.